Hazardous materials.

SEC. **354.** FUNDING FOE WASTE MINIMIZATION PROGRAMS FOR CERTAIN INDUSTRIAJVTYPE **ACTIVITIES** OF THE DEPARTMENT OF DEFENSE

10 USC 2701 note.

(1) REQUIREMENT To ESTABUSH WASTE MINIMIZATION PKOGRAM.—• The Secretary of Defense shall require the Secretary of each military department to establish a program for fiscal year 1992 to reduce the volume of solid and hazardous wastes disposed of, and hazardous materials used by, each industrial-type activity within the department that is a depot maintenance installation and for which a working-capital fund has been established under section 2208 of title 10, United States Code.

(2) FuNDnsrG.—Fuiiding for the waste mmimization program in each military department shall come out of payments received by the working-capital funds established for industrial-type and commercial-type activities of the department. The level of funding for fiscal year 1992 shall be not less than ¥2 of 1 percent of the amount of such payments received during fiscal year 1988 that were used for depot maintenance installation functions at industrial-type activities. The required level of funding for fiscal year 1992 may be reduced by amounts expended for waste minimization during fiscal years 1990 and 1991. In any case in which a military department fails to spend funds at the level required by this subsection for the waste minimization program, the Secretary concerned shall submit to Congress a report explaining the reasons for the failure.

Reports.

(3) NOTICE OF EXCLUDED ACTIVITIES.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress the name of each industrial-type or commercial-type activity of each military department which is not covered by the waste minimization program because the activity does not carry out depot maintenance installation functions.

(d) USE OF FUNDS.—Funds available for the waste minimization programs established pursuant to this section shall be used to carry out waste minimization projects at depot maintenance installations. The types of expenses for which such funds may be used include the following (if such expense is related to a waste minimization

proje ct):

(4) Opera ting expen ses (inclu ding salari es).

(5) Equip ment purch ase expen ses.

(6) Facilit y modifi cation expen ses.

(7) Proce ss chang e expen ses.

(8) Produ ct substi tution expen ses.

(9) Milita ry constr uction expen ses.

(10) Resea rch, develo pment , test, and evalua tion expen ses.

(11) Expen ses for the lease of equip ment or faciliti es.

(e) RECOVERY OF COSTS.—Each project carried out at an industrial-type activity as part of a waste minimization program established pursuant to this section shall be designed to achieve, over the expected useful life of the project, reductions in the cost of the disposal of solid and hazardous wastes generated by the activity in an amount which is not less than the cost of the project. The Secretary of a military department may provide funds for a project that does not meet the requirement of the preceding sentence if the Secretary certifies to Congress that—

(1) the project will result in a reduction of solid or hazardous waste disposed of, or hazardous materials used by, the activity; or